

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:
ANDREW GRACE

CASE NO: BKS-09-33376-LBR

CHAPTER 13

Hearing Date: March 11, 2010

Hearing Time: 1:30 pm

PRO SE DEBTOR
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN 1
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Kathleen A. Leavitt, hereby objects to confirmation of Plan and hereby represents the following:

The Debtor(s) filed for Chapter 13 relief on 12/14/2009. The 341(a) Meeting of Creditors held on February 02, 2010 at 8:00 am was:

- Concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- Debtor(s) failed to commence Plan payments [11USC § 1326 (a) (1)]
- Debtor(s) are delinquent in Plan payments
- The proposed Plan is not feasible as the Debtor(s) lacks sufficient regular income [11 USC § 109 (e)]
- The Debtor(s) has failed to cooperate with the Trustee [11 USC § 521(a)(3)] as the following documents were not provided:
 - All tax returns for all taxable periods ending during the 4-year period ending on the date of the filing of the petition. Specifically, tax years 2005 - 2008
 - Paystubs for the following periods: JUNE - NOVEMBER 2009. 11 USC §704(a)(4) and/or 11 USC §521(a)(1)(B) (iv)
 - Bank Statements for the following periods: ANY BANK ACCOUNTS: 7/14 - 12/14/09.
 - Amendment to Plan: INTENSION RE: THE TREATMENT OF THE HOME.
 - Amendment to Schedule I. Current Income of Individual Debtor(s): LIST GIRLFRIEND'S INCOME.
 - Amendment to Schedule J. Current Expenditures of Individual Debtor(s): BUDGET ITEMS: MORTGAGE PAYMENT, FOOD.

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00.

Dated: 02/02/2010

/s/Kathleen A. Leavitt

Kathleen A. Leavitt
Chapter 13 Trustee